

IN THE UNITED STATES DISTRICT COURT  
FOR THE STATE OF MARYLAND

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

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KIM K. SUMNER,

*Plaintiff*

v.

MARYLAND JUDICIARY/District Court

*Defendant*

Civil Case No. JRG-13CV-539

\* \* \* \* \*

MOTION TO OPPOSITION TO DEFENDANT'S MOTION TO STRIKE PLAINTIFF'S

EXHIBIT 8

AND

REQUEST LEAVE TO AMEND PLAINTIFF'S COMPLAINT

I have sworn and affirmed that Judge Devy Patterson Russell's complaint is genuine. If allowed and subpoenaed, Judge Devy Patterson Russell will testify to all the events of which she has knowledge and witnessed.

*Kim K. Sumner* 8/29/13

I, Kim K. Sumner, Plaintiff, argue the following in Defendant's Motion to Strike Exhibit 8:

(See Attached Affidavit of Judge Devy Patterson Russell, attached hereto). I intend to subpoena the witness of the other misconduct of Judge Hargrove, Judge Clyburn and Lonnie Ferguson as noted in Judge Devy Patterson Russell's complaint to demonstrate my claim for a sexually hostile work environment.

- All of the information contained in the exhibits are not hearsay, but witnessed by Judge Devy Patterson Russell; also, some conduct may not be offered for the truth of matters asserted, but instead prove motive, intent, and knowledge of management (ie. Judge Hargrove and Judge Clyburn), related to the sexual harassment and hostile work environment and the discipline of Administrative Clerk, Lonnie Ferguson.
- The complaint process may be confidential, but the allegations and facts are not confidential. The Complaint is simply the evidence I intend to show at trial.
- The fact that charges were not brought by the Judicial Disabilities Commission, does not mean that the Commission found that the allegations were unfounded or untrue.

Note: Interviews that were conducted by Council were not sworn under oath. I myself questioned the thoroughness and integrity in respect to my own Judicial Complaint. For Example: Thomas Murphy told me that it was Judge Clyburn that did the penalty phase of Lonnie Ferguson; however, in the Summary Judgment submitted by Defendant, it stated that both Judge Clyburn and Judge Hargrove did the penalty phase of Lonnie Ferguson, Also, Mr. Murphy did not even question me in regard to my complaint about Judge Hargrove's threat to put me in the basement at Eastside if I did not want to work with Lonnie Ferguson.

Who actually penalized Lonnie Ferguson is a critical fact. I can only find that fact out if I can continue to trial and find out through discovery.

- My case should be allowed to proceed with discovery so I can bring out the facts supporting my complaint.

Respectfully, alternatively plaintiff pleads the court requesting leave for fourteen (14) days to amend complaint to incorporate the allegations made by Judge Russell in her Judicial Disabilities Complaint, without reference to her Disabilities complaint. The defendant cannot claim prejudice as the defendant has admitted much of the substance of the allegations in my complaint and has not started discovery.

Respectfully submitted I swear and affirm this 28<sup>th</sup> day of August, 2013, I, Kim K. Sumner the above is true and honest to the best of my knowledge.

(Footnote: Plaintiff wants to add occurrence that happened yesterday, 8/27/13, to further establish an on-going hostile work environment. Please see exhibit 1, email to Executive Director of Human Resources, Sharon Ball).

 8/29/13

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this the 29<sup>th</sup> day of August, 2013, a copy of the foregoing was sent via UPS overnight mail to the Federal Court House 101 W. Lombard Street, Baltimore, MD 21201, Clerk's Office, 4<sup>th</sup> floor. and to Defendant, Attorney General's Office, 200 St. Paul Street, Baltimore, MD 21202, attention to H. Scott Curtis.